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OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 359

Suppression, under the Plenary Powers, of the generic name *Miersia* Kingsley, 1879, for the purpose of rendering the generic name *Acanthephyra* Milne Edwards (A.), 1881 (Class Crustacea, Order Decapoda) the oldest available name for the genus concerned.

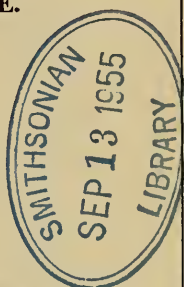
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 359

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Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

OPINION 359

SUPPRESSION, UNDER THE PLENARY POWERS, OF
THE GENERIC NAME "MIERSIA" KINGSLEY, 1879,
FOR THE PURPOSE OF RENDERING THE GENERIC
NAME "ACANTHEPHYRA" MILNE EDWARDS (A.),
1881 (CLASS CRUSTACEA, ORDER DECAPODA)
THE OLDEST AVAILABLE NAME FOR THE
GENUS CONCERNED

RULING :—(1) Under the Plenary Powers the generic name *Miersia* Kingsley, 1879, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 882 : *Acantheephyra* Milne Edwards (A.), 1881 (gender : feminine) (type species, by original designation : *Acantheephyra armata* Milne Edwards (A.), 1881) (Class Crustacea, Order Decapoda).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. 299 and 300 respectively : (a) *Miersia* Kingsley, 1879, as suppressed under the Plenary Powers under (1) above ; (b) *Ephyra* Roux (P.), 1831 (a junior homonym of *Ephyra* Péron & Lesueur, 1810).

(4) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 499 : *armata* Milne Edwards (A.), 1881, as published in the combination *Acantheephyra armata* (specific name of type species of *Acantheephyra* Milne Edwards (A.), 1881).

I.—THE STATEMENT OF THE CASE

On 21st September 1951 Dr. L. B. Holthuis (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) submitted the following application to the Commission for the validation under the Plenary Powers of the generic name *Acantheephyra* Milne Edwards (A.), 1881 (Class Crustacea, Order Decapoda) :—

**Proposed use of the Plenary Powers to validate the generic name
"Acantheephyra" A. Milne Edwards, 1881 (Class
Crustacea, Order Decapoda)**

By L. B. HOLTHUIS

(*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)

The present application relates to a generic name *Acantheephyra* A. Milne Edwards, 1881 (Class Crustacea, Order Decapoda), which is in general use, but which is not the oldest available name for the genus concerned. The ruthless application of the *Règles* in the present case would give rise to much quite unnecessary confusion, and I accordingly ask the International Commission on Zoological Nomenclature to prevent this confusion by using their Plenary Powers in such a way as to permit the continued use of the above generic name.

2. The following are the original references to the generic names dealt with in the present application :—

Acantheephyra A. Milne Edwards, 1881, *Ann. Sci. nat. (Paris)* (Zool.) (6) 11(4) : 12 (type species, by original designation : *Acantheephyra armata* A. Milne Edwards, 1881, *Ann. Sci. nat. (Paris)* (Zool.) (6) 11(4) : 12).

Miersia Kingsley, 1879, *Proc. Acad. nat. Sci. Philad.* 1879 : 416 (substitute name for *Ephyra* P. Roux, 1831 (*Mém. Class. Crust. Salic.* : 24) an invalid junior homonym of *Ephyra* Péron & Lesueur, 1810, *Ann. Mus. Hist. nat., Paris* 14(83) : 354) (type species, by original designation by Kingsley, 1879 (*Proc. Acad. nat. Sci. Philad.* 1879 : 416) : *Alpheus pelagicus* Risso, 1816, *Hist. nat. Crust. Nice* : 91).

3. The name *Acantheephyra* at present is in universal use for a large genus of deep-sea shrimps. This genus consists of about 28 species and is distributed throughout the Atlantic, Indian and Pacific Oceans. Several of the species are common and all the larger deep-sea expeditions brought home considerable quantities of specimens belonging to this

genus. In the zoological reports of practically all the deep-sea expeditions (e.g., Albatross, Ara, Atlantide, Atlantis, B.A.N.Z. Antarctic, Bermuda Oceanographic, Caudan, Challenger, Discovery, German South Polar, Helga, Ingolf, Investigator, John Murray, Michael Sars, Pawnee, Pickle, Pieter Faure, Plankton, Pola, Princesse Alice, Siboga, Thor, Valdivia, Washington) these shrimps have been described under the generic name *Acantheephyra*. In his revision of the family in which this genus belongs, Chace (1936, *J. Wash. Acad. Sci.* **26** : 24—31) also used that generic name.

4. Now *Alpheus pelagicus* Risso, 1816, the type species of the genus *Miersia* Kingsley, 1879, proves to belong to the genus *Acantheephyra* (see Holthuis, 1947, *Zool. Meded.*, **27** : 315). Thus *Miersia* Kingsley, 1879, is a subjective synonym of *Acantheephyra* A. Milne Edwards, 1881. The latter name, being the more recent of the two, according to the Law of Priority, has to be replaced by the former.

5. The name *Miersia* was proposed by Kingsley to replace the pre-occupied generic name *Ephyra* P. Roux, 1831. Kingsley placed three species in this genus :—

- (1) *Alpheus pelagicus* Risso, 1816, which was indicated by Kingsley as the type species of *Miersia*,
- (2) *Pandalus punctulatus* Risso, 1826 (*Hist. nat. Europ. mérid.* **5** : 80, fig. 7), a *species incerta*, and
- (3) *Ephyra compressa* De Haan, 1844 (*Fauna japon.*, Crust. (5) : pl. 46, fig. 7), the type species of the genus *Paratya* Miers, 1882 (family ATYIDAE).

6. As far as I know only three authors besides Kingsley have used the name *Miersia* for *Acantheephyra*. First, S. I. Smith in *Bull. Mus. comp. Zool.* **10** : 66—73. Two years later Smith (1884, *Rep. U.S. Fish Comm.* **10** : 372) abandoned *Miersia* in favour of *Acantheephyra*. In his 1884 paper Smith stated that he could not find any differences between the two genera, “but as Milne-Edwards probably had access to typical species of *Miersia*, *Acantheephyra* is most likely a distinct genus”. Carus (1885, *Prodr. Faun. Medit.* **1** : 481) in his rather uncritical compilation of the Mediterranean fauna mentions *Miersia* with two species *M. pelagica* and *M. punctulata*. Bate (1888, *Rep. Voy. Challenger, Zool.* **24** : 732, 733) in his large report on the Challenger Macrura, rejected the name *Miersia* on account of the fact that Kingsley, who had placed the genus in the family ATYIDAE, in the diagnosis of this family mentioned characters not present in *Acantheephyra*. Fowler (1912, *Ann. Rep. New Jersey State Mus.* **1911** : 548, 549) in his compilation of the New Jersey Crustacea correctly considered *Miersia*

and *Acantheephyra* to be identical and accordingly adopted the former name as being the older.

7. The name *Miersia* furthermore has been used by some authors for species of the family ATYIDAE, obviously because Kingsley placed the Atyid shrimp *Paratya compressa* (De Haan) in this genus. Ortmann (1894, *Proc. Acad. nat. Sci. Philad.* 1894 : 400), who in two previous publications had used the name *Miersia* for species of the genus *Paratya*, identified *Miersia* Kingsley, 1879, with *Paratya* Miers, 1882 and *Xiphocaris* Von Martens, 1872, using the latter name for the genus. Ortmann excluded *Alpheus pelagicus* from *Miersia*, placing it in *Acantheephyra*. Holmes (1895, *Proc. Calif. Acad. Sci.* (2) 4 : 577) described a new Atyid under the name *Miersia pacifica*. In 1900 the same author (Holmes, 1900, *Occ. Pap. Calif. Acad. Sci.* 7 : 211) erected a new genus (*Syncares*) for his species and at the same time remarked that the name *Miersia* could not be used for Atyid shrimps, since its type species was *Alpheus pelagicus*. Finally, Bouvier (1925, *Encycl. entomol.* (A) 4 : 55) cited *Miersia* Kingsley as a synonym of *Paratya* Miers.

8. We thus see that the generic name *Acantheephyra* is in general use for a genus of deep-sea shrimps ; at least 60 authors have used that name and it may be found in practically all reports dealing with the Decapoda Macrura of deep-sea expeditions. On the other hand the name *Miersia*, which is nomenclatorially the correct name for that genus, has been used for it by only four authors, one of whom later abandoned it in favour of *Acantheephyra*, while the publications of the other three authors have been of relatively very little importance for the study of this group. Moreover the name *Miersia* has been used by a number of authors for shrimps belonging to the family ATYIDAE. It is clear therefore that the change of the name *Acantheephyra* to *Miersia* is highly undesirable as it would involve the change of many well-known specific names and thus cause quite unnecessary confusion in carcinological literature. The concrete proposals which I accordingly submit for consideration are that the International Commission on Zoological Nomenclature should :—

(1) use its Plenary Powers :—

- (a) to suppress the generic name *Miersia* Kingsley, 1879, for the purposes of the Law of Priority, but not for those of the Law of Homonymy, and
- (b) to validate the generic name *Acantheephyra* A. Milne Edwards, 1881 ;

(2) place on the *Official List of Generic Names in Zoology* the generic name *Acantheephyra* A. Milne Edwards, 1881 (gender of generic name : feminine) (type species, by original designation : *Acantheephyra armata* A. Milne Edwards, 1881) as validated in (1)(b) above ;

- (3) place the generic names *Miersia* Kingsley, 1879, as suppressed under (1)(a) above, and *Ephyra* Roux, 1831 (junior homonym of *Ephyra* Péron & Lesueur, 1810) on the *Official Index of Rejected and Invalid Generic Names in Zoology* ;
- (4) place on the *Official List of Specific Trivial Names in Zoology* the trivial name *armata* A. Milne Edwards, 1881, as published in the binominal combination *Acantheephyra armata* (trivial name of type species of *Acantheephyra* A. Milne Edwards, 1881).

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Holthuis's application, the question of the validation of the generic name *Acantheephyra* Milne Edwards (A.), 1881, under the Plenary Powers was allotted the Registered Number Z.N.(S.) 617.

3. Publication of the present application : The present application was sent to the printer on 30th January 1952 and was published on 22nd May 1952 in Part 7 of volume 6 of the *Bulletin of Zoological Nomenclature* (Holthuis, 1952, *Bull. zool. Nomencl.* 6 : 195—197).

4. Issue of Public Notices : Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 22nd May 1952 (a) in Part 7 of volume 6 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Holthuis's application was published) and (b) to the other prescribed serial publications. In addition, Public Notice was given to a number of general zoological serial publications.

5. Comments received : The issue of the foregoing Public Notices elicited a letter of support from Dr. Ricardo Zariquiey (*Enfermedades de la Infancia, Barcelona, Spain*), which is reproduced in the immediately following paragraph. No objection to the action proposed was received from any source.

6. Support received from Dr. Ricardo Zariquiey (*Enfermedades de la Infancia, Barcelona, Spain*) : On 25th February 1953 Dr. Ricardo Zariquiey (*Enfermedades de la Infancia, Barcelona*) addressed a letter to the Commission intimating his support for a number of applications, including the present application, which had then recently been published in the *Bulletin of Zoological Nomenclature*. The following is an extract from Dr. Zariquiey's letter :—

He recibido las Commission's References Z.N.(S.) 616 (*Euryrhynchus*), Z.N.(S.) 617 (*Acanthephyra*) . . . propuestas por el Dr. L. B. Holthuis, estando en todo conforme con las proposiciones del citado Doctor.

III.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

7. Issue of Voting Paper V.P.(54)26 : On 6th March 1954 a Voting Paper (V.P.(54)26) was issued in which the Members of the Commission were invited to vote either for, or against, " the proposal relating to the name *Acanthephyra* Milne Edwards (A.), 1881, as set out at the top of page 197 of volume 6 of the *Bulletin of Zoological Nomenclature* " [i.e. in paragraph 8 of the application reproduced in the first paragraph of the present *Opinion*].

8. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 6th June 1954.

9. Particulars of the Voting on Voting Paper V.P.(54)26 : The state of the voting on Voting Paper V.P.(54)26 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Riley ; Lemche ; Vokes ; do Amaral ; Esaki ; Sylvester-Bradley ; Dymond ; Bonnet ; Boschma ; Hankó ; Hemming ; Mertens ; Pearson ; Bradley (J. C.) ; Stoll ; Jaczewski ; Cabrera ;

(b) *Negative votes :*

None ;

(c) *Voting Papers not returned :*

None.

10. Declaration of Result of Vote : On 7th June 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)26, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

11. Family-group names : On 22nd September 1954 Dr. L. B. Holthuis (the applicant in the present case) notified the Commission that the genus *Acantheephyra* Milne Edwards is not currently considered to be the type genus of a family-group taxon. Accordingly no action at the family-group-name level is called for in the present case.

12. Note on the relative status of the generic names “ *Miersia* ” Kingsley, 1879, and “ *Acanthephyra* ” Milne Edwards : On 15th February 1955 Mr. Hemming, as Secretary, placed on the Commission's File Z.N.(S.) 617 the following Minute relating to the relative status of the generic names *Miersia* Kingsley, 1879, and *Acanthephyra* Milne Edwards (A.), 1881 :—

In his application regarding the names *Miersia* Kingsley, 1879, and *Acanthephyra* Milne Edwards (A.), 1881, Dr. Holthuis asked for the suppression under the Plenary Powers of the name *Miersia* Kingsley for the purpose of validating the use of the name *Acanthephyra* Milne Edwards. At the same time Dr. Holthuis pointed out that these nominal genera had different type species and that it was only through the subjective (taxonomic) identification of the species so named that the foregoing generic names were synonyms of one another. This situation has ceased to exist in consequence of the action taken by the Commission when in its vote on Voting Paper V.P.(54)26 it suppressed the generic name *Miersia* Kingsley. For by that action the name *Acanthephyra* Milne Edwards ceased to be a subjective synonym of an older name. It always was a nomenclatorially available name and it now becomes the oldest available name for the genus in question. Thus, the use of the Plenary Powers to suppress the subjective senior synonym *Miersia* Kingsley is all that is required to meet the object sought in the present case. The Plenary Powers are not needed to secure an objectively available basis for the name *Acanthephyra* Milne Edwards, since, as shown above, that name always possessed such a basis. Its only defect prior to the decision just taken by the Commission was that it was considered to be a junior subjective synonym of *Miersia* Kingsley and that defect has been removed by the suppression of Kingsley's generic name under the Plenary Powers. To sum up, the name *Acanthephyra* Milne Edwards required to be “ validated ” only in the sense that, until the name *Miersia* Kingsley had been suppressed, the name *Acanthephyra* could not be used as the name for the genus concerned by any taxonomist who regarded the species which are the respective type species of these two genera as being congeneric with one another.

2. In the light of the considerations set out above, I now, as Secretary direct that in the Ruling to be prepared to give effect to the decision taken by the Commission in the present case the record to be made of the use of the Plenary Powers be confined to a record of the use of those Powers for the suppression of the name *Miersia* Kingsley, this being the only use of those Powers required for the purpose of giving effect to the application submitted in this case and to the decision of the Commission thereon.

13. Preparation of the Ruling given in the present “ Opinion ” : On 16th February 1955 Mr. Hemming prepared the Ruling given

in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)26, as clarified by the Minute by the Secretary dated 15th February 1955 (paragraph 12 above).

14. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

Acanthephyra Milne Edwards (A.), 1881, *Ann. Sci. nat.*, Paris (Zool.) (6) 11(4) : 12

armata, *Acanthephyra*, Milne Edwards (A.), 1881, *Ann. Sci. nat.*, Paris (Zool.) (6) 11(4) : 12

Ephyra Roux (P.), 1831, *Mém. Class. Crust. Salic.* : 24

Miersia Kingsley, 1879, *Proc. Acad. nat. Sci. Philad.* 1879 : 416

15. At the time of the submission of the application dealt with in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “trivial name” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “trivial” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “specific name” was substituted for the expression “trivial name” and corresponding changes are made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

16. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary

to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

17. The present *Opinion* shall be known as *Opinion* Three Hundred and Fifty-Nine (359) of the International Commission on Zoological Nomenclature.

DONE in London, this Sixteenth day of February, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING